

**UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF ALABAMA**

In re

Case No. 05-82073-DHW
Chapter 7

JAMES R. GILHAM, JR.
LYNDIA D. GILHAM,

Debtors.

ROBERT YOUNG and
KRISTY YOUNG,

Plaintiffs,

v.

Adv. Proc. 06-08004-DHW

JAMES R. GILHAM and
LYNDIA D. GILHAM,

Defendant.

**JUDGMENT FOR
DEBTOR/DEFENDANTS' ATTORNEY'S FEE
ORDER CLOSING ADVERSARY PROCEEDING**

On January 13, 2006, plaintiffs filed this adversary proceeding seeking a judgment holding their claim against the debtor/defendants nondischargeable under 11 U.S.C. § 523 and to deny the debtor/defendants a discharge of all their debts under 11 U.S.C. § 727. On December 5, 2008, an order of summary judgment entered in favor of the debtor/defendants.¹

The debtor/defendants' attorney requested fees under 11 U.S.C. § 523(d) for representing their interests in this action. This court ordered counsel to file a written request for fees not later than December 16, 2008, and allowed the

¹ The December 5, 2008 also granted the motion filed by the plaintiffs' attorney to withdraw as counsel. In the motion, counsel noted that she had been unable to contact her clients through repeated attempts.

plaintiffs until January 20, 2009 to file an objection to the requested fees.

On December 15, 2008, the debtor/defendants' counsel filed his affidavit in support of the requested fees (Doc. #69). The plaintiffs filed no objection. Accordingly, it is

ORDERED that James R. Gilham, Jr. and Lyndia D. Gilham have and recover of Robert and Kristy Young the sum of \$19,612.89 representing fees and expenses associated with the defense of this adversary proceeding. It is

FURTHER ORDERED that this adversary proceeding be CLOSED.

Done this the 26th day of January, 2009.

/s/ Dwight H. Williams, Jr.
United States Bankruptcy Judge

c: Robert and Kristy Young, Plaintiffs
Charles M. Ingram, Jr., Debtor/Defendants' Attorney